

Status of the Claims

Claims 41-52 are pending herein, claims 41, 46 and 50 being the independent claims.

Remarks

Rejection Under 35 U.S.C. 102(e) - Claims 41-52

Claims 41-52 stand rejected under 35 U.S.C. 102(e) as being anticipated by Gammenthaler (US 2004/0201765). This rejection is hereby traversed for the following reasons.

In the Final Action dated 2/13/09 the Examiner appears to be taking the position that the system generator 54 shown in FIGs. 1-4 generates the delay on the real time live video stream. Applicants disagree.

As Gammenthaler discusses in paragraphs 54 and 55, all of the video data is continuously recorded to a hard drive 60 shown in FIG 2. Part of the data continuously recorded on hard disk 60 is time of day data supplied by clock 104 and/or a frame count signal. Data can be archived off the hard disk 60 to the digital video tape recorder 52. After the fact recording to tape can be accomplished using the system controller 54. If an officer wants to record to tape all the events that happened in the last 10 minutes or starting from some particular time of day he remembers to be before a significant event, he can give a command via control panel 20 to the system controller 54. Since the time of day and/or a frame count data has been recorded, the video data stored on hard disk 60 can be searched using the time of day or some interval data entered by the officer via control panel 20 to find the first frame that corresponds to the requested start time. Data from that frame and subsequent frames are then output by the hard disk 60 so that it can be archived onto the digital tape recorder 52 when the system controller 54 so orders.

Independent claim 41 requires the step of *processing the real time live video stream by imposing a surveillance system generated delay of a pre-set time*

interval on the live video stream to generate a time-delayed video stream. In Gammenthaler, however, the system controller 54 does not impose any delay whatsoever on a video stream, live or otherwise. Rather, the system controller 54 identifies previously recorded video data stored on hard drive 60 using a time of day and/or a frame count specified by the officer. The video data identified in this manner is then output from the hard disk 60 and archived on tape recorder 52.

Accordingly, Gammenthaler fails to show at least two elements of the claimed step recited above. First, the system controller 54 only involves the processing of previously recorded data, not real-time live data as required by the claim. In addition, the system controller 54 does not impose any kind of delay on video data, whether system-generated or user-generated.

For at least the reasons presented above, the rejection of claim 41 and the claims that depend therefrom under 35 U.S.C. 102 should be reconsidered and withdrawn. Independent claims 46 and 50, as well as the claims that depend therefrom, are believed to be patentable for at least the same reasons presented above in connection with claim 41. Accordingly, for at least the reasons presented above, the rejection of independent claims 46 and 50 and the claims that depend therefrom under 35 U.S.C. 102 should be reconsidered and withdrawn.

Conclusion

In view of the foregoing, it is believed that the application is now in condition for allowance, and early passage of this case to issue is respectfully requested. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

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Respectfully submitted,

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